

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PENNY D. CRENSHAW,
Plaintiff

V.

JO ANNE B. BARNHART,
Commissioner of Social
Security Administration,
Defendant

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No. 2:05CV446

ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections to the Report and Recommendation were filed. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

ORDERED that Defendant's Unopposed Motion to Remand (Dkt. No. 13) is hereby **GRANTED**. It is further

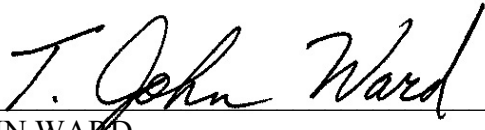
ORDERED that Plaintiff's above-entitled and numbered civil action is **REVERSED and REMANDED** under the fourth sentence of the Social Security Act, 42 U.S.C. § 405(g), to the Commissioner of the Social Security Administration for further administrative proceedings before an Administrative Law Judge ("ALJ"). It is further

ORDERED that on remand the ALJ will be instructed to obtain updated treatment records;

obtain a consultative psychological and/or psychiatric examination if updated treatment records are not sufficient to assess the severity of Plaintiff's mental functioning; obtain input from a medical expert; and, if warranted by the expanded record, obtain supplemental testimony from a vocational expert. It is further

ORDERED that all motions not previously ruled on are **DENIED**, and the referral order is **VACATED**.

SIGNED this 1st day of February, 2007.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE